

1 PAUL J. PASCUZZI, State Bar No. 148810
2 JASON E. RIOS, State Bar No. 190086
3 THOMAS R. PHINNEY, State Bar No. 159435
4 FELDERSTEIN FITZGERALD
5 WILLOUGHBY PASCUZZI & RIOS LLP
6 500 Capitol Mall, Suite 2250
Sacramento, CA 95814
Telephone: (916) 329-7400
Facsimile: (916) 329-7435
Email: ppascuzzi@ffwplaw.com
jrios@ffwplaw.com
tphinney@ffwplaw.com

7 ORI KATZ, State Bar No. 209561
8 ALAN H. MARTIN, State Bar No. 132301
9 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
10 A Limited Liability Partnership
11 Including Professional Corporations
12 Four Embarcadero Center, 17th Floor
San Francisco, California 94111-4109
Telephone: (415) 434-9100
Facsimile: (415) 434-3947
Email: okatz@sheppardmullin.com
amartin@sheppardmullin.com

13 Attorneys for The Roman Catholic
14 Archbishop of San Francisco

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

18 In re
19 THE ROMAN CATHOLIC ARCHBISHOP
20 OF SAN FRANCISCO,
21 Debtor and
Debtor in Possession

Case No. 23-30564

Chapter 11 Proceeding

**DECLARATION OF PETER MARLOW
IN SUPPORT OF DEBTOR'S MOTION
FOR ORDER: (1) FIXING TIME FOR
FILING PROOFS OF CLAIM;
(2) APPROVING PROOF OF CLAIM
FORMS; (3) PROVIDING
CONFIDENTIAL PROTOCOLS; AND
(4) APPROVING FORM AND MANNER
OF NOTICE.**

Judge: Hon. Dennis Montali
Date: November 9, 2023
Time: 1:30 p.m.
Place: Via ZoomGov

1 I, Peter Marlow, declare:

2 1. I am the Executive Director of Communications and Media Relations for The Roman
3 Catholic Archbishop of San Francisco (“RCASF” or the “Debtor”), the debtor and debtor in
4 possession in the above-captioned bankruptcy case (the “Bankruptcy Case”). I have personal
5 knowledge of the facts contained in this declaration, except as to matters alleged upon information
6 and belief and as to those matters I believe to be true. If called upon as a witness, I could and would
7 testify competently thereto.

8 2. I make this declaration in support of the *Debtor’s Motion for Order: (1) Fixing Time*
9 *for Filing Proofs of Claim; (2) Approving Proof of Claim Forms; (3) Providing Confidential*
10 *Protocols; and (4) Approving Form and Manner of Notice (“Motion”)* for an order establishing
11 various claims bar dates and approving the form and manner of providing notice and publication of
12 the notice of the claims bar dates, particularly as it relates to potential survivor claimants (referenced
13 and described in the Motion and in this declaration as the “Survivor Claimants”). Unless specifically
14 defined in this declaration, I give all capitalized terms the same meanings given to them in the
15 Motion.

16 3. I am responsible for managing communications and media relations for the RCASF.
17 In that role, I am generally familiar with available newspaper publications in Northern California
18 and surrounding regions, and with methods of notice and publications between dioceses, and with
19 local and national Catholic publications.

20 4. The Archdiocese of San Francisco (“Archdiocese”) is comprised of the geographic
21 territory spanning the three counties of Marin, San Francisco, and San Mateo.

22 5. I have assisted with developing the proposed notice and publication plan set forth in
23 the Motion and conferred with others on how to make publication of the notice as comprehensive
24 as practicable. I have reviewed the Motion and have considered and assisted with the development
25 of the list of publications in which notice of the Bar Dates is proposed to be disseminated and
26 published, with the goal of how best to reach potential Survivor Claimants, including by way of
27 newspaper publications.

1 6. The RCASF chose the daily newspapers described in the Motion because they
2 represent the newspapers that are published within the Archdiocese as well as in surrounding
3 dioceses in which unknown Survivor Claimants may reside. I believe that publication in these daily
4 newspapers will provide comprehensive notice that is reasonably practicable. The *San Francisco*
5 *Chronicle* is the top daily newspaper published in each county within the Archdiocese.

6 7. The proposed publication schedule includes large daily (or near daily) newspapers
7 published in surrounding dioceses in which unknown Claimants potentially may reside and include:
8 *Los Angeles Times*; *Alameda Times-Star (East Bay Times)*; *Contra Costa Time (East Bay Times)*;
9 *San Mateo Daily Journal* (San Mateo County); *Marin Independent Journal* (Marin County); *The*
10 *Mercury News* (San Jose); *Santa Cruz Sentinel* (Santa Cruz County); *The Sacramento Bee*; *Stockton*
11 *Record* (San Joaquin and Calaveras Counties); *Modesto Bee* (Stanislaus and Tuolumne Counties);
12 *The Press Democrat* (Santa Rosa); *The Napa Valley Register* (Napa County); *The Ukiah Daily*
13 *Journal* (Mendocino County); *Lake County Record-Bee* (Lake County); *Times Standard*
14 (Mendocino County); and *Del Norte Triplicate* (Del Norte County). Also included as proposed
15 newspapers are the Western edition of *The Wall Street Journal* and the San Francisco region edition
16 of *USA Today*, both which are widely distributed throughout Northern California and the entire West
17 Coast.

18 8. There are a large number of Spanish-speaking individuals in the counties served by
19 the Archdiocese. Three Spanish-language newspapers were chosen because they represent the
20 printed Spanish-language newspapers in circulation in the geographical region covered by the
21 Archdiocese or covering a large area of California, as follows:

22 *La Opinion de la Bahia* (formerly called *El Mensajero*) (published weekly);
23 *La Prensa Sonoma* (published monthly); and
24 *El Leñador* (published monthly, but not during the summer months).

25 9. There are also a large number of Chinese-speaking individuals in the counties served
26 by the Archdiocese. The Debtor therefore proposes to request that the Sing Tao Daily and Chinese
27 Radio post the Publication Notice in Chinese on their websites at least a month prior to the expiration
28 of the Survivor Claim Bar Date.

1 10. The publications listed above have been chosen because they represent the
2 newspapers that are published within the Archdiocese as well as in surrounding dioceses and
3 nationally and are intended to provide notice where unknown Survivor Claimants may reside.

4 11. The Debtor also proposes to post a copy of the General Bar Date Notice and General
5 Proof of Claim Form as well as a copy of the Survivor Claim Bar Date Notice and the Survivor
6 Claim Form on the webpage created (at the Debtor's direction) by the Debtor's Claims and Noticing
7 Agent, Omni Agent Solutions, Inc., for this Bankruptcy Case, and any website created by the
8 Committee or its counsel for this Bankruptcy Case. The Debtor also will attempt to post the Claim
9 Bar Date Notice on the website of the Survivors Network of those Abused by Priests and any other
10 websites for survivor advocacy groups that will allow the Debtor to publish the Claim Bar Date
11 Notice.

12 12. The Debtor also proposes to request that each Parish include in the bulletins produced
13 by the Parishes and missions located within the geographic territory of the Archdiocese, bi-weekly
14 from the first available date after entry of the Bar Date Order until the Survivor Claim Bar Date, an
15 announcement that will be placed in the language in which the Parish or mission offers Mass
16 (English or Spanish). The Debtor further proposes that it will request each Parish and mission in
17 the Archdiocese to post a flyer announcing the Survivor Claim Bar Date in a prominent location for
18 at least six weeks prior to the Survivor Claim Bar Date.

19 13. In addition to the foregoing steps, the Debtor previously made significant efforts to
20 provide, generally, notice of the Bankruptcy Case to the public. The Debtor's website includes
21 detailed information about the Bankruptcy Case, and upon the commencement of the Bankruptcy
22 Case, the Archbishop issued a press release nationally that reached more than 9,000 media outlets.

23 14. The Debtor also proposes posting the Survivor Claim Bar Date and information on
24 how to obtain and submit a Survivor Proof of Claim Form at least once a week for at least the six
25 weeks prior to on the following social media accounts:

26 <https://twitter.com/ArchdioceseSF>,

27 <https://twitter.com/ArchCordileone>,

28 <https://www.instagram.com/sfarchdiocese>, and

<https://www.facebook.com/sfarchdiocese>

2 15. Based on my experience in communications and public relations, and as the Debtor's
3 Executive Director of Communications and Media Relations, I believe that publishing notice of the
4 Bar Dates in the newspapers as set forth in the Motion is reasonably calculated under the
5 circumstances to best apprise potential creditors of the RCASF, especially unknown potential
6 claimants, of the Bar Dates and to afford such potential creditors an opportunity to file claims against
7 the RCASF.

8 16. I have investigated the likely costs of publishing notices as described above. The
9 estimated costs of the extensive publication schedules proposed in the Motion and described above
10 are approximately \$66,000, in the aggregate. As each notice publication will require a separate
11 process and may be subject to negotiations, the total projected cost is only an estimate at this time.

12 I declare under penalty of perjury under the laws of the United States of America that the
13 foregoing is true and correct.

14 Executed on this 18th day of October, 2023, at San Francisco, California.

DocuSigned by:

Peter Marlow

PETER MARLOW